

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JORGE ALBERTO SAINZ NAVARRETE,

Defendant.

8:16CR248

MEMORANDUM AND ORDER

This matter is before the Court on the Defendant Jorge Alberto Sainz Navarrete's Motion for Reconsideration, ECF No. 388, and his Post-Trial Motions, ECF No. 387.

The Defendant filed a timely Motion to Extend Deadline for Filing Post-Trial Motions on June 25, 2018, ECF No. 366, and the Motion was granted by text order, ECF No. 373, extending the Defendant's deadline for filing post-trial motions to July 13, 2018. On July 13, 2018, the Defendant filed a second Motion to Extend Deadline for Filing Post-Trial Motions, ECF No. 382, seeking an additional week to July 20, 2018, for the filing of post-trial motions. The second motion was denied by the Court as untimely, ECF No. 386. In his Motion for Reconsideration, ECF No. 388, counsel for the Defendant notes that the second motion was submitted within the time of the previously granted extension and asks that the Court reconsider the denial of the second motion for extension. The Court will grant the Motion to Reconsider, will extend the deadline for the filing of Defendant's post-trial motions as requested in ECF No. 382, and will accept the Defendant's Post-Trial Motions, ECF No. 387.

In his Post-Trial Motions, the Defendant renews the motions for acquittal raised during trial. He also argues that the evidence was insufficient as a matter of law to

support the jury's verdict, and that the jury engaged in speculation and conjecture concerning the Defendant's alleged possession of firearms. Finally, he seeks a new trial in the interest of justice.

The Court finds that the jury's verdict as to the Defendant was supported by substantial evidence and was not based on speculation or conjecture, and that the interest of justice would not be served by the granting of a new trial.

Accordingly,

IT IS ORDERED:

1. The Defendant Jorge Alberto Sainz Navarette's Motion for Reconsideration, ECF No. 388, is granted;
2. The Court's Order, ECF No. 386, denying the Defendant's second Motion to Extend Filing Deadlines is vacated;
3. The Defendant's second Motion to Extend Filing Deadline, ECF No. 382, is granted; and
4. The Defendant's Post-Trial Motions, ECF No. 387, are denied.

Dated this 25th day of July, 2018.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge